

## **CHAPTER 2. PLANNING COMMISSION**

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#### 9-2-1: Statutory Authority.

The statutory authority for enacting this chapter is Utah Code Unannotated, 2012 section 17-27a-301, as amended, section 17-53-223.

#### 9-2-2: Purpose.

The purpose of this chapter is to establish a countywide Planning Commission required by Utah Code, 2012, Unannotated section 17-27a-301, as amended. The chapter defines the number and terms of the members, the mode of appointment, the procedures for filling vacancies and removal from office, rules of procedure and other details relating to the organization and procedures of the Planning Commission. Our chart has more than two and state code requires the two person appointment 17-27a-301-(3) (c) (i)

#### 9-2-3: Planning Commission, Number of Members, Appointment.

The Board of Commissioners of Kane County is statutorily authorized to create a Planning Commission to be known as the Kane County Planning Commission. One member of the Board of Commissioners shall be designated by the Board of Commissioners as a non-voting, ex officio member of the Planning Commission. Each of the other seven members of the Planning Commission shall be residents of Kane County and owners of real property in Kane County and at least four of which own property situated in the unincorporated portion thereof, and at least four

of them shall hold no other political or governmental office, or county employment.

#### 9-2-4: Terms of Office.

The term of appointed members of the Kane County Planning Commission shall be four years and until their respective successors have been appointed. Members of the first planning commissions shall be appointed so that, for each commission, the terms of at least one member and no more than two members expire each year.

#### 9-2-5: Vacancies and Removals for Cause.

The Board of Kane County Commissioners shall provide for the filling of vacancies in the membership of the Planning Commission and for the removal of a member for failure to carry out, meet the requirements of or fulfill duties as promised or misconduct.

#### 9-2-6: Compensation.

The members of the Kane County Planning Commission shall serve without compensation, except that the Kane County Board of Commissioners shall provide for reimbursement of the members of the Planning Commission for actual expenses incurred, upon presentation of proper receipts, vouchers, and mileage reports.

#### 9-2-7: Officers.

The Kane County Planning Commission shall elect from its appointed members, a chair, and vice-chair whose term shall be for one year and the Planning Commission may create and fill other such positions/offices as it may deem necessary.

#### 9-2-8: Rules and Procedures.

The Kane County Planning Commission shall adopt such rules and regulations governing its procedure as it may consider necessary or advisable, and shall keep a record of its proceedings, which record shall be open to inspection by the public at all reasonable times.

Kane County desires that the Kane County Planning Commission conduct meetings in an orderly manner, promote civil discourse, and require ethical behavior; and whereas , Utah State Code 17-27a-301 et. Al. requires that the County by ordinance establish the rules of order and procedure for use by the Planning Commission in a public meeting the following has been adopted:

- 1) Meetings of the Kane County Planning Commission shall be conducted in general accordance with Roberts Modified Rules of Order as further modified.
- 2) Members of the Kane County Planning Commission are expected to conduct the business of the County in an ethical manner and in accordance with the Open and Public Meetings Act;
- 3) Members of the Kane County Planning commission, members of the public and applicants shall behave in a civil and polite manner during meetings.

9-2-9: Quorum and Vote.

A quorum shall consist of four members. Evidence shall not be presented unless a quorum is present. A majority vote shall be constituted of at least a majority of members present.

9-2-10: Employees, Expenditures.

The Kane County Planning Commission shall have the power and authority to employ experts and staff and to pay such expenses as may be deemed reasonable and necessary for carrying out its responsibilities, upon presentation of proper receipts and vouchers, but not in excess of such sums as may be appropriated by the Kane County Board of Commissioners.